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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
COUGHLAN, PETER D	
ART UNIT	**PAPER NUMBER**
2129	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/21/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/624,860	CHAN ET AL.	
	Examiner	Art Unit	
	Peter Coughlan	2129	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 October 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *7/21/2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Detailed Action

1. This office action is in response to an AMENDMENT entered October 19, 2006 for the patent application 10/624860 filed on July 21, 2003.

2. The First Office Action of July 5, 2006 is fully incorporated into this Final Office Action by reference.

Status of Claims

3. Claims 1-31 are pending.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 1-28 are rejected under 35 U.S.C. 101 limiting to software per se. The invention is a system of software with a define purpose but the 'medium' is not directed to a 'computer readable medium'. Regarding claims 1-28, changing the word 'medium' to 'computer readable medium' would overcome this rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-31 are rejected under 35 U.S.C. 102(e) (hereinafter referred to as **Bowman**) being anticipated by Bowman-Amuah, U.S. 6339832.

Claim 1.

Bowman anticipates design a business solution with user parameters and user-selectable 'User-selectable' of applicant is equivalent to 'practitioners will select the necessary components' of Bowman. (**Bowman,** C20:24-32), pre-defined business objects and pre-defined technology objects ('Parameters' is equivalent to 'domain' of Bowman. (**Bowman,** C14:34-41) 'Business objects' of applicant is equivalent to 'objects' of Bowman. (**Bowman,** C14:34-41) 'Technology objects' of applicant is equivalent to 'classes' of Bowman. (**Bowman,** C14:34-41) The four elements of a 'business object' are 'business areas', 'processes', 'activities' and 'steps'. Bowman goes into further detail stating the model of an 'business component' is the same as a 'object model'. (**Bowman,** C137:15-190) 'Business areas' of applicant are disclosed by examples of the creation of an invoice and planning and delivery stages of Bowman. (**Bowman,** C3:55-56 and C4:2-4) 'Processes' of applicant is equivalent to 'design artifact' of

Bowman. (**Bowman,** C137:27-43) Per Bowman, the 'design artifact' provides a 'logical framework'. Per applicant the 'processes' provides a 'product roadmap'(¶0007). Thus 'Product roadmap' of applicant is equivalent to 'logical framework' of Bowman. In ¶0345 of application, the applicant states that an 'activity' is created by renaming a copy of a business object. Bowman discloses copying a 'business object' for logical units of work. (**Bowman,** C302:26-46) Thus 'activities' of applicant is equivalent to 'copy of the common business object' of Bowman. Applicant describes 'steps' as where 'sub-objects are expected' (¶0379). Applicant admits that Bowman contains sub-objects with the statement 'objects and their corresponding classes break down complex programming problems into smaller, simpler problems'. Thus Bowman has 'steps'.) maintain and modify the business solution designed by the user. (**Bowman,** C21:48-61; 'Modify' of applicant is equivalent to 'change' of Bowman. 'Maintain' of applicant is equivalent to 'maintainability' of Bowman.)

Claim 2.

Bowman anticipates a portal layer, (**Bowman,** C31:57 through C32:5; 'Portal layer' of applicant is equivalent to 'communication services' and communication fabric' of Bowman.) a software application layer (**Bowman,** C3:48-50; 'Software application layer' of applicant is equivalent to 'software development and management' of Bowman.) a data repository. (**Bowman,** C37:46-53; 'Data repository' of applicant is equivalent to 'central design repository' of Bowman.)

Claim 3.

Bowman anticipates the first and second agents providing graphical user interfaces to the first and second software applications; the first software application being operable to allow a user to design a business solution (**Bowman,** C20:24-32 ; 'Allow a user to design' of applicant is equivalent to 'practitioners will select the necessary components' of Bowman.) with user parameters and user-selectable, pre-defined business objects and pre-defined technology objects; the second software application being operable to allow a user to maintain and modify the business solution. (**Bowman,** C116:52-57, C21:48-61;; The 'first agent' and 'second ' agent of applicant is equivalent to 'system software' and 'management systems' of Bowman. 'Modify' of applicant is equivalent to 'change' of Bowman. 'Maintain' of applicant is equivalent to 'maintainability' of Bowman. 'Parameters' is equivalent to 'domain' of Bowman. (**Bowman,** C14:34-41) 'Business objects' of applicant is equivalent to 'objects' of Bowman. (**Bowman,** C14:34-41) 'Technology objects' of applicant is equivalent to 'classes' of Bowman. (**Bowman,** C14:34-41) The four elements of a 'business object' are 'business areas', 'processes', 'activities' and 'steps'. Bowman goes into further detail stating the model of an 'business component' is the same as a 'object model'. (**Bowman,** C137:15-190) 'Business areas' of applicant are disclosed by examples of the creation of an invoice and planning and delivery stages of Bowman. (**Bowman,** C3:55-56 and C4:2-4) 'Processes' of applicant is equivalent to 'design artifact' of Bowman. (**Bowman,** C137:27-43) Per Bowman, the 'design artifact' provides a 'logical framework'. Per applicant the 'processes' provides a 'product roadmap'(¶0007). Thus

'Product roadmap' of applicant is equivalent to 'logical framework' of Bowman. In ¶0345 of application, the applicant states that an 'activity' is created by renaming a copy of a business object. Bowman discloses copying a 'business object' for logical units of work. (**Bowman,** C302:26-46) Thus 'activities' of applicant is equivalent to 'copy of the common business object' of Bowman. Applicant describes 'steps' as where 'sub-objects are expected' (¶0379). Applicant admits that Bowman contains sub-objects with the statement 'objects and their corresponding classes break down complex programming problems into smaller, simpler problems'. Thus Bowman has 'steps'.)

Claim 4.

Bowman anticipates stores the pre-defined business objects and pre-defined technology objects. (**Bowman,** C37:46-53, C53:23-35; 'business objects' of applicant is equivalent to 'objects' of Bowman. 'Components' of applicant is what comprises classes (technology objects) of Bowman.)

Claim 5.

Bowman anticipates an interview module operable to display questions to a user and receive answers from the user to be used by the first software application. (**Bowman,** abstract' 'Interview module' of applicant is illustrated by entering an 'exception' and answers are provided by the 'exception response table' of Bowman.)

Claim 6.

Bowman anticipates a business process engineer application operable to receive user parameters and design business processes with the pre-defined business process objects. (**Bowman,** abstract; When the user enters the parameters (equivalent to 'exception' of Bowman) this function is equivalent to a 'business process engineer' of applicant. 'Business process object' of applicant is equivalent to 'technology object' per applicant in ¶0081.)

Claim 7.

Bowman anticipates solution technology engineer application operable to receive user parameters and design technology solutions with the pre-defined technology objects. (**Bowman,** abstract; 'Solution technology engineer' of applicant is equivalent to responding with the correct 'exception response' that is listed in the 'exception response table' of Bowman.)

Claim 8.

Bowman anticipates stores a plurality of business solutions, the second software application being operable to allow a user to select one of the business solutions. (**Bowman,** C37:46-53; 'Business solutions' of applicant is equivalent to 'application objects' of Bowman. 'User to select' of applicant is equivalent to 'check-in/check-out' of Bowman.)

Claim 9.

Bowman anticipates a knowledge base management application operable to allow a user to maintain and modify a knowledge base. (**Bowman,** C55:59-67, C21:48-61; 'Knowledge base management' of applicant is equivalent to 'document management' of Bowman. 'Modify' of applicant is equivalent to 'change' of Bowman. 'Maintain' of applicant is equivalent to 'maintainability' of Bowman.)

Claim 10.

Bowman anticipates a project management application operable to allow a user to maintain and modify a project from a project repository. (**Bowman,** C149:50-65, C21:48-61 and C31:28-33; 'Project management' of applicant is illustrated by 'how to use project specific application frame work' of Bowman (Bowman does not give it a specific name.) 'Modify' of applicant is equivalent to 'change' of Bowman. 'Maintain' of applicant is equivalent to 'maintainability' of Bowman.)

Claim 11.

Bowman anticipates an integrated implementation management application operable to allow a user to maintain and modify an integrated implementation from an implementation repository. (**Bowman,** C7:36-37, C21:48-61 and Figure 127; Bowman illustrates the modules of a implementation interface which enables the user to integrate implementation. (Bowman just does not give it a specific name.) C21:48-61 'Modify' of applicant is equivalent to 'change' of Bowman. 'Maintain' of applicant is equivalent to 'maintainability' of Bowman.)

Claim 12.

Bowman anticipates a methodology management application operable to allow a user to maintain and modify a methodology from a methodology repository. (**Bowman,** C4:2-4 and Fig. 43 and C21:48-61; 'Modify' of applicant is equivalent to 'change' of Bowman. 'Maintain' of applicant is equivalent to 'maintainability' of Bowman.)

Claim 13.

Bowman anticipates a solution landscape management application operable to allow a user to maintain and modify a solution landscape from a landscape version repository. (**Bowman,** C37:46-53, C21:48-61; 'Solution landscape management' of applicant is equivalent to 'version control' of Bowman. 'Modify' of applicant is equivalent to 'change' of Bowman. 'Maintain' of applicant is equivalent to 'maintainability' of Bowman.)

Claim 14.

Bowman anticipates a business process analyzer(**Bowman,** C161:32-41; Bowman illustrates analyzing 'business use case') and a control object repository. (**Bowman,** C37:46-53)

Claim 15.

Bowman anticipates a business process object management application and a technology object management application operable to allow a user to maintain and modify business process objects and technology objects. (**Bowman,** C48:18-26, C21:48-61 and C23:35-39; 'Business process object management' of applicant is equivalent to 'direct manipulation services' of Bowman. 'Technology object management' of applicant is equivalent to 'delivery vehicle reference' of Bowman. 'Business process object' of applicant is equivalent to 'technology object' per applicant in ¶0081. C21:48-61 'Modify' of applicant is equivalent to 'change' of Bowman. 'Maintain' of applicant is equivalent to 'maintainability' of Bowman.)

Claim 16.

Bowman anticipates a technology component identifier and a classification repository. (**Bowman,** C192:13-25 and C130:51-64; 'Component identifier' of applicant is illustrated in operation 5410 of Bowman. 'Classification repository' of applicant is equivalent to 'partitioned business component' of Bowman.)

Claim 17.

Bowman anticipates stores a plurality of user-selectable solution determination structures, each solution determination structure having a plurality of parameters and solution determination procedures. (**Bowman,** C14:34-43; 'Determining structures' of applicant is equivalent to 'frameworks' of Bowman.)

Claim 18.

Bowman anticipates each solution determination procedure comprises control objects linked to routines. (**Bowman,** C20:24-32; 'Solution', 'routines' and 'control objects' 'meet a specific set of user or application requirements', 'applications' and 'components' of Bowman.)

Claim 19.

Bowman anticipates stores a solution determination structure instantiation having a user-selectable initiative, business area, business process and business activity. (**Bowman,** C21:52-61; 'Business area', 'business process' and 'business activity' of applicant is equivalent to 'core business', 'architecture' and 'infrastructure' of Bowman.)

Claim 20.

Bowman anticipates solution determination structure instantiation is linked to a plurality of templates, the templates being linked to pre-defined business process objects and pre-defined technology objects. (**Bowman,** C14:34-41 and C131:22-35; 'Template' of applicant is equivalent to 'template' of Bowman. Bowman equates 'template' as a functioning 'framework'. 'Business process object' of applicant is equivalent to 'technology object' per applicant in ¶0081.)

Claim 21.

Bowman anticipates templates comprising a solution template (**Bowman,** C15:9-32), a business object template (**Bowman,** C14:52-64), a technology object template (**Bowman,** C13:30-42) and a project template. (**Bowman,** C31:28-33)

Claim 22.

Bowman anticipates provides a primary work area with active solution variants and inactive solution variants. (**Bowman,** C116:52-57; 'Primary work area' of applicant is equivalent to 'system software' of Bowman.)

Claim 23.

Bowman anticipates a primary work and an alternate work area. (**Bowman,** C116:52-57; 'Alternate work area' of applicant is equivalent to 'management system' of Bowman.)

Claim 24.

Bowman anticipates an exchange infrastructure operable to allow applications in the application layer to communicate with external applications. (**Bowman,** C31:57 through C32:5; 'Exchange infrastructure' of applicant is equivalent to items '1006, 1008 and 1010' of Bowman.)

Claim 25.

Bowman anticipates providing at least first and second software applications, the first software application being operable to allow a user to design a business solution (**Bowman,** C20:24-32 ; 'Allow a user to design' of applicant is equivalent to 'practitioners will select the necessary components' of Bowman.) with user parameters and user-selectable, pre-defined business process objects and pre-defined technology objects, the second software application being operable to allow a user to maintain and modify the business solution (**Bowman,** C116:52-57, C21:48-61; The 'first agent' and 'second ' agent of applicant is equivalent to 'system software' and 'management systems' of Bowman. 'Business process object' of applicant is equivalent to 'technology object' per applicant in ¶0081. 'Modify' of applicant is equivalent to 'change' of Bowman. 'Maintain' of applicant is equivalent to 'maintainability' of Bowman. 'Parameters' is equivalent to 'domain' of Bowman. (**Bowman,** C14:34-41) 'Business objects' of applicant is equivalent to 'objects' of Bowman. (**Bowman,** C14:34-41) 'Technology objects' of applicant is equivalent to 'classes' of Bowman. (**Bowman,** C14:34-41) The four elements of a 'business object' are 'business areas', 'processes', 'activities' and 'steps'. Bowman goes into further detail stating the model of an 'business component' is the same as a 'object model'. (**Bowman,** C137:15-190) 'Business areas' of applicant are disclosed by examples of the creation of an invoice and planning and delivery stages of Bowman. (**Bowman,** C3:55-56 and C4:2-4) 'Processes' of applicant is equivalent to 'design artifact' of Bowman. (**Bowman,** C137:27-43) Per Bowman, the 'design artifact' provides a 'logical framework'. Per applicant the 'processes' provides a 'product roadmap'(¶0007). Thus

'Product roadmap' of applicant is equivalent to 'logical framework' of Bowman. In ¶0345 of application, the applicant states that an 'activity' is created by renaming a copy of a business object. Bowman discloses copying a 'business object' for logical units of work. (**Bowman,** C302:26-46) Thus 'activities' of applicant is equivalent to 'copy of the common business object' of Bowman. Applicant describes 'steps' as where 'sub-objects are expected' (¶0379). Applicant admits that Bowman contains sub-objects with the statement 'objects and their corresponding classes break down complex programming problems into smaller, simpler problems'. Thus Bowman has 'steps'.); and providing a data repository comprising the pre-defined business process objects and pre-defined technology objects. (**Bowman,** C37:46-53; 'Data repository' of applicant is equivalent to 'central design repository' of Bowman. 'Business process object' of applicant is equivalent to 'technology object' per applicant in ¶0081.)

Claim 26.

Bowman anticipates an exchange infrastructure operable to allow applications in the application layer to communicate with external applications. (**Bowman,** C31:57 through C32:5; 'Exchange infrastructure' of applicant is equivalent to items '1006, 1008 and 1010' of Bowman.)

Claim 27.

Bowman anticipates a plurality of solution determination structures. (**Bowman,** C14:34-43; 'Determining structures' of applicant is equivalent to 'frameworks' of Bowman.)

Claim 28.

Bowman anticipates a plurality of user-selectable business process templates and technology object templates. (**Bowman,** C14:34-41 and C131:22-35; 'Template' of applicant is equivalent to 'template' of Bowman. Bowman equates 'template' as a functioning 'framework')

Claim 29.

Bowman anticipates prompting a user to select (**Bowman,** C20:24-32 ; 'Prompting a user to select' of applicant is equivalent to 'practitioners will select the necessary components' of Bowman.) at least one business process object and one technology object; receiving user parameters; and designing a business solution using the selected business process object, technology object and user parameters. (**Bowman,** C14:34-41; 'Parameters', 'business objects' and 'technology objects' of applicant is equivalent to 'domain', 'objects' and 'classes' of Bowman. 'Business process object' of applicant is equivalent to 'technology object' per applicant in ¶0081. 'Parameters' is equivalent to 'domain' of Bowman. (**Bowman,** C14:34-41) 'Business objects' of applicant is equivalent to 'objects' of Bowman. (**Bowman,** C14:34-41) 'Technology objects' of applicant is equivalent to 'classes' of Bowman. (**Bowman,**

C14:34-41) The four elements of a 'business object' are 'business areas', 'processes', 'activities' and 'steps'. Bowman goes into further detail stating the model of an 'business component' is the same as a 'object model'. (**Bowman,** C137:15-190) 'Business areas' of applicant are disclosed by examples of the creation of an invoice and planning and delivery stages of Bowman. (**Bowman,** C3:55-56 and C4:2-4) 'Processes' of applicant is equivalent to 'design artifact' of Bowman. (**Bowman,** C137:27-43) Per Bowman, the 'design artifact' provides a 'logical framework'. Per applicant the 'processes' provides a 'product roadmap'(¶0007). Thus 'Product roadmap' of applicant is equivalent to 'logical framework' of Bowman. In ¶0345 of application, the applicant states that an 'activity' is created by renaming a copy of a business object. Bowman discloses copying a 'business object' for logical units of work. (**Bowman,** C302:26-46) Thus 'activities' of applicant is equivalent to 'copy of the common business object' of Bowman. Applicant describes 'steps' as where 'sub-objects are expected' (¶0379). Applicant admits that Bowman contains sub-objects with the statement 'objects and their corresponding classes break down complex programming problems into smaller, simpler problems'. Thus Bowman has 'steps'.)

Claim 30

Bowman anticipates to cause one or more machines to organize business process objects, technology objects and user parameters in a linked structure. (**Bowman,** C120:7-19; 'To organize business process' of applicant is demonstrated by 'business logic' of Bowman.)

Claim 31.

Bowman anticipates cause one or more machines to provide solution templates. (**Bowman,** C109:14-20; Providing 'solution templates' is demonstrated by 'report services' of Bowman.)

Response to Arguments

5. Applicant's arguments filed on October 19, 2006for claims 1-31 have been fully considered but are not persuasive.

6. In reference to the Applicant's argument:

REMARKS
Reconsideration and allowance of the above identified patent application are requested. Claims 1-31 are now in the application with claims I , 25, and 29 being independent, Claims 1, 3, 9-13, 15, 25, and 29 have been amended. No new matter has been added.

Abstract
Per the Office's suggestion the Abstract has been amended to delete the numeric indicators.

Examiner's response:

Examiner notes amendments to the Abstract.

7. In reference to the Applicant's argument:

Rejection Under 35 U.S.C. *101
Claims 1-31 stand rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. This contention is respectfully traversed.

Independent claim 29 recites "An article comprising, a machine-readable medium storing instructions operable to cause one or more machines to perform operations comprising: prompting a user to select at least one business process object and one technology object; receiving user parameters; and designing a business solution using the selected business process object, technology object and user parameters."

As such, the subject matter of claim 29 is clearly within the enumerated categories of' patentable subject matter recited in *101 (e.g., machine). Further, claim 29 describes an article that manipulates data associated with physical objects and activities in the real world – namely at least a business process object, a technology object, and user parameters. Additionally, claim 29 achieves a practical application – designing a business solution using the selected business process object, technology object and user parameters.

Independent claims 1 and 25 include limitations similar to those presented in claim 29. For example, the system of claim 1 and the method of claim 25 each recites software operable to design a business solution with user parameters and user-selectable, predefined business objects (or business process objects) and pre-defined technology objects. Thus, the subject matter of claims 1 and 25 also clearly falls within the enumerated categories of 'patentable subject matter recited in § 101. Further, claims, I and 25 also describe. respectively, a system and method that manipulate data associated with physical objects and activities in the real world to achieve a practical application – designing a business solution.

The result produced by claims 1, 25, and 29 -a business solution- is useful, concrete, and tangible. The Office objects (Action of July 5. 2006 at 3) that the field of business to which the business solution relates is not identified and that there is thus no real world application. This is incorrect. For example, the field of business can be influenced by the selected business process object, technology object, and user parameters. Moreover, the new guidelines for 35 U.S.C. §101 identified by the Office (Action of July 5. 2006 at 3) provide "Accordingly, a complete definition of the scope of 35 U.S.C. Sec. 101, reflecting Congressional intent, is that any new and, useful process, machine manufacture or composition of matter under the sun that is made by man is the proper subject matter of a patent." Therefore, in view of these remarks, the Applicants respectfully request withdrawal of the rejection of these claims under §101.

Examiner's response:

The rejection under 35 U.S.C. §101 for claims 1-28 stand. The rejection for these claims stand due to the fact the word 'medium' is not restrictive to a 'computer readable medium' which the invention uses.

8. In reference to the Applicant's argument:

Rejection Under 35 U.S.C. §112

Claims 1, 3, 9-13, 15, and 25 stand rejected under 35 U.S.C. §1 12, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. The Office (Action of July 5, 2006 at 4) asserts that the word "'Manage' fails to clearly state what is required or needed."

Without conceding the propriety of this rejection, and solely to execute prosecution, claims 1, 3, 9-13, 15, and 25 have been amended to replace the word "manage" with the phrase "maintain and modify". For example, as amended, claim 1 recites ".., the software being operable to allow a user to (a) design a business solution with user parameters and user-selectable, pre-defined business objects and pre-defined technology objects, and (b) maintain and modify the business solution designed by the user." As such, the claim language clearly satisfies the requirements of 35 U.S.C. §112. Therefore, the Applicants respectfully request withdrawal of this rejection.

Rejection Under 35 U.S.C. §102(b)
Claims 1-31 stand rejected under 35 U.S.C, 102(e) as allegedly being anticipated by U.S. Patent No. 6,339,832 to Bowman-Amuah ("Bowman"), These contentions are respectfully traversed.

Examiner's response:

Examiner withdraws the 35 USC §112 rejection concerning ambiguous word 'manage'.

9. In reference to the Applicant's argument:

CLAIM 1

Amended claim 1 recites "A business solution management system comprising software stored in a medium, the software being operable to allow a user to (a) design as business solution, with user parameters and user-selectable, pre-defined business objects and pre-defined technology objects, and (b) maintain and modify the business solution designed by the user."

The Office (Action of July 5, 2006 at 5) asserts that the user parameters, business objects, and technology objects recited in claim I are equivalent to the domain, objects, and classes disclosed by Bowman. The Applicants disagree.

The specification (00272) indicates that "Business Process Object Management 522 (Fig. 5) provides standard BSM 'business objects,' which encompass 'business areas' 1202. 'processes' 1204, 'activities' 1206 and 'steps' 1208....A 'business object' contributes to the object-based business requirements definition of a solution." Further, the specification (00288) states that "A 'technology o b j e c t' exists for each technology component and each configuration structure...the technology object clearly describes the functionality and its purpose in the architecture,...." Additionally, the specification (00278) provides that parameters "...are assigned to the object's definition and are filled with values when creating an instance," Equivalents to these terms are not disclosed in Bowman.

Examiner's response:

Applicant states that the 'business object' is comprised of four elements, 'business areas', 'processes', 'activities' and 'steps' and that Bowman's 'objects' do not contain these elements. In the previous office action the Examiner stated that 'business objects' of applicant is equivalent to 'objects' of Bowman. In C137:15-19, Bowman goes into further detail stating the model of an 'business component' is the same as a 'object model'. In Bowman C3:55-56, illustrates the creation of an invoice. In Bowman C4:2-4, illustrates planning and delivery stages. Thus 'business areas' of applicant is illustrated by examples of 'invoice creation' and 'planning and delivery stages' of

Bowman. Applicant claims that Bowman lacks 'processes' in the 'business objects'. 'Processes' of applicant is equivalent to 'design artifact' of Bowman. Per Bowman, the 'design artifact' provides a 'logical framework'.. Per applicant the 'processes' provides a 'product roadmap'(¶0007). Thus 'Product roadmap' of applicant is equivalent to 'logical framework' of Bowman. Applicant claims that Bowman lacks 'activities' in the 'business objects'. In ¶0345 of application, the applicant states that an 'activity' is created by renaming a copy of a business object. Bowman discloses copying a 'business object' for logical units of work. (**Bowman,** C302:26-46) Thus 'activities' of applicant is equivalent to 'copy of the common business object' of Bowman. Applicant claims that Bowman lacks 'steps'. Applicant describes 'steps' as where 'sub-objects are expected' (¶0379). Applicant admits that Bowman contains sub-objects with the statement 'objects and their corresponding classes break down complex programming problems into smaller, simpler problems'. Thus Bowman has 'steps'. In summary Bowman discloses the equivalent to 'business areas', 'processes', 'activities' and 'steps'.

10. In reference to the Applicant's argument:

Bowman (Col. 14, lines 34-41) states that "...a framework basically is a collection of cooperating classes that make up a reusable design solution for a given problem domain. It typically includes objects that provide default behavior (e.g., for menus and windows),.,.." Bowman further explains the meaning of these terms.

With respect to the term problem domain, Bowman (Col. 12, lines 52-54) states that "Objects and their corresponding classes break down complex programming

problems into many smaller, simpler problems." As such, Bowman indicates that a problem domain represents one or more programming problems for which classes can make up a solution. Therefore, the problem domain disclosed by Bowman is not equivalent to a business process object, a technology object, or a user parameter, as claimed.

Examiner's response:

The term 'problem domain' is not used by either the Examiner or by the Applicant. The Examiner does not know why this is in the Arguments.

11. In reference to the Applicant's argument:

Further, with respect to classes, Bowman (Col. 13, lines 4-6) discloses that "Class hierarchies and containment hierarchies provide a flexible mechanism for modeling real-world objects and the relationships among them." Bowman (Col. 13, lines 30-42) also explains that a framework of class libraries ". , . consists of significant collections of collaborating classes that capture both the small scale . patterns and major mechanisms that implement the common requirements and design in a specific application domain." Therefore, the classes disclosed by Bowman also areequivalent to the claimed business process object, technology object, or user parameter.

Additionally, Bowman (Col. 14, lines 34-41) explains that objects provide default behavior !or a framework. Bowman (Col. [0, lines 58-64) further defines an object as "...a software package that contains both data and a collection of related structures and procedures. Since it contains both data and a collection of structures and procedures, it can he visualized as a self-sufficient component that does not require other additional structures, procedures or data to perform its specific task." Thus, the object disclosed by Bowman also is not equivalent to the claimed business process object, technology object, or user parameter.

Therefore, the domain, classes, and objects disclosed by Bowman are not equivalent to the user parameters, business objects, and technology objects recited in claim 1.

Examiner's response:

The Examiner explains how a 'business object' with its four components of 'business areas', 'processes', 'activities' and 'steps' of applicant are all within the definition of 'objects' of Bowman in section 9. in this office action.

12. In reference to the Applicant's argument:

Moreover, while Bowman (Col. 21, lines 52-60) states that "A properly defined and intelligently developed architecture delivers an infrastructure on which clients can build and enhance applications that support their current and future business needs", Bowman does not disclose designing a business solution, as recited in claim 1.

Therefore, even when given the broadest reasonable interpretation, Bowman does not disclose, teach, or suggest software operable to allow a user to (a) design a business solution with user parameters and user-selectable, pre-defined business objects and pre-defined technology objects, and (b) maintain and modify the business solution designed by the user.

For at least these reasons, claim 1 is allowable over Bowman. Claims 2-24 depend from claim 1. Therefore, dependent claims 2-24 are allowable for at least the reasons discussed with respect to claim 1.

Examiner's response:

'Parameters' is equivalent to 'domain' of Bowman. (**Bowman,** C14:34-41) 'Business objects' of applicant is equivalent to 'objects' of Bowman. (**Bowman,** C14:34-41) 'Technology objects' of applicant is equivalent to 'classes' of Bowman. (**Bowman,** C14:34-41) Maintain and modify the business solution designed by the user. (**Bowman,** C21:48-61; 'Modify' of applicant is equivalent to 'change' of Bowman. Maintain' of applicant is equivalent to 'maintainability' of Bowman.) The four elements of a 'business object' are 'business areas', 'processes', 'activities' and 'steps'. Bowman

goes into further detail stating the model of an 'business component' is the same as a 'object model'. (**Bowman,** C137:15-190) 'Business areas' of applicant are disclosed by examples of the creation of an invoice and planning and delivery stages of Bowman. (**Bowman,** C3:55-56 and C4:2-4) 'Processes' of applicant is equivalent to 'design artifact' of Bowman. (**Bowman,** C137:27-43) Per Bowman, the 'design artifact' provides a 'logical framework'. Per applicant the 'processes' provides a 'product roadmap'(¶0007). Thus 'Product roadmap' of applicant is equivalent to 'logical framework' of Bowman. In ¶0345 of application, the applicant states that an 'activity' is created by renaming a copy of a business object. Bowman discloses copying a 'business object' for logical units of work. (**Bowman,** C302:26-46) Thus 'activities' of applicant is equivalent to 'copy of the common business object' of Bowman. Applicant describes 'steps' as where 'sub-objects are expected' (¶0379). Applicant admits that Bowman contains sub-objects with the statement 'objects and their corresponding classes break down complex programming problems into smaller, simpler problems'. Thus Bowman has 'steps'.

13. In reference to the Applicant's argument:

CLAIM 25

The Applicants' amended claim 25 calls for "providing at least first and second software applications, the first software application being operable to allow a user to design a business solution with user parameters and user-selectable, pre-defined business process objects and pre-defined technology objects, the second software application being operable to allow a user to maintain and modify the business solution...." Bowman fails to disclose, teach, or suggest this combination of features.

Examiner's response:

'Allow a user to design' of applicant is equivalent to 'practitioners will select the necessary components' of Bowman. (**Bowman,** C20:24-32)

'Parameters' is equivalent to 'domain' of Bowman. (**Bowman,** C14:34-41) 'Business objects' of applicant is equivalent to 'objects' of Bowman. (**Bowman,** C14:34-41) 'Technology objects' of applicant is equivalent to 'classes' of Bowman. (**Bowman,** C14:34-41) Maintain and modify the business solution designed by the user. (**Bowman,** C21:48-61; 'Modify' of applicant is equivalent to 'change' of Bowman. Maintain' of applicant is equivalent to 'maintainability' of Bowman.) The four elements of a 'business object' are 'business areas', 'processes', 'activities' and 'steps'. Bowman goes into further detail stating the model of an 'business component' is the same as a 'object model'. (**Bowman,** C137:15-190) 'Business areas' of applicant are disclosed by examples of the creation of an invoice and planning and delivery stages of Bowman. (**Bowman,** C3:55-56 and C4:2-4) 'Processes' of applicant is equivalent to 'design artifact' of Bowman. (**Bowman,** C137:27-43) Per Bowman, the 'design artifact' provides a 'logical framework'. Per applicant the 'processes' provides a 'product roadmap'(¶0007). Thus 'Product roadmap' of applicant is equivalent to 'logical framework' of Bowman. In ¶0345 of application, the applicant states that an 'activity' is created by renaming a copy of a business object. Bowman discloses copying a 'business object' for logical units of work. (**Bowman,** C302:26-46) Thus 'activities' of applicant is equivalent to 'copy of the common business object' of Bowman. Applicant describes 'steps' as where 'sub-objects are expected' (¶0379). Applicant admits that

Bowman contains sub-objects with the statement 'objects and their corresponding classes break down complex programming problems into smaller, simpler problems'.

Thus Bowman has 'steps'.

14. In reference to the Applicant's argument:

The Office (Action of July 5, 2006 at 12) asserts that the "system software" and "management systems" of Bowman correspond to the first and second software applications disclosed in claim 25 (the Office indicated "agents", which are not mentioned). The Applicants disagree.

Bowman does not disclose software with the claimed functionality. Bowman (Col. 116, lines 51-57) states that "The ability to interface with the host-based hardware, system software, and database management systems is critical. This is essential because the workflow system is located between the client-based and host-based processes, ie it can initiate client-based as well as host-based applications;...." Thus, Bowman (Id.) merely indicates that a workflow system can interface with the host-based system software and the host-based database management systems. Bowman does not disclose, teach, or suggest that, the host- based system software or database management systems are operable "to allow a user to design a business solution with user parameters and user-selectable, pre-defined business process objects and pre-defined technology objects..." or "...to allow a user to maintain and modify the business solution...."

Further, Bowman (Id,) clarifies that the host-based "management systems" called out by the Office are database management systems. Bowman (Col. 52, lines 32-34) indicates that "Most database management systems provide access control at the database, table, or row level as well as concurrency control." Bowman does not, however, disclose, teach. or suggest that a database management system, is operable to allow a user to design a business solution or to maintain and modify the business solution, as claimed.

Additionally, claim 25 recites "...providing a data repository comprising the pre-defined business process objects and pre-defined technology

The Office (Action of July 5, 2006 at 12) asserts that the central design repository of Bowman corresponds to the data repository, recited in claim 25. The Applicants disagree.

Bowman (Col. 37, lines 45-53) states that "If the development team is more than 5 people, a tool should provide support for multiple developers." Bowman (Id.) goes on to explain that 'This support includes features such as object checkin/check-out, a central design repository for the storage of application objects and user interaction definitions, and version control," Thus, the central design repository disclosed by Bowman stores items utilized by a development team. Conversely, claim 25 indicates that the business process objects and the technology objects comprising the data repository are utilized by a user to design a business solution.

Moreover, Bowman discloses (Col. 48, lines 17-33) that application objects stored in the central design repository represent physical entities, such as stocks, portfolios, or a trading floor. Bowman also indicates (e.g., Col. 76, lines 21-24 and Col. 186, line 24 to Col. 187, line 9) that the user interface definitions stored in the central design repository define interfaces used to access services and to communicate.

The data repository of claim 25, however, comprises pre-defined business process objects and pre-defined technology objects. The specification (00275) indicates that "The business process object 1204 provides the business objectives and goals of the process scope." Further, the specification (00288) indicates that "A 'technology object' exists for each technology component and each configuration structure...the technology object clearly describes the functionality and its purpose in the architecture, as well as other specific information."

Thus, the application objects and user interlace definitions disclosed by Bowman do not comprise the claimed business process objects and technology objects. Therefore, Bowman does not disclose, teach, or suggest providing a data repository comprising the pre-defined business process objects and pre-defined technology objects.

For at least these reasons, independent claim 25 is allowable over Bowman. Further, claims 26-28 depend from claim 25 and are at least allowable based on claim 25.

Examiner's response:

'Parameters' is equivalent to 'domain' of Bowman. (**Bowman,** C14:34-41)

'Business objects' of applicant is equivalent to 'objects' of Bowman. (**Bowman,** C14:34-41) 'Technology objects' of applicant is equivalent to 'classes' of Bowman. (**Bowman,**

C14:34-41) Maintain and modify the business solution designed by the user. (**Bowman,** C21:48-61; 'Modify' of applicant is equivalent to 'change' of Bowman. Maintain' of applicant is equivalent to 'maintainability' of Bowman.) The four elements of a 'business object' are 'business areas', 'processes', 'activities' and 'steps'. Bowman goes into further detail stating the model of an 'business component' is the same as a 'object model'. (**Bowman,** C137:15-190) 'Business areas' of applicant are disclosed by examples of the creation of an invoice and planning and delivery stages of Bowman. (**Bowman,** C3:55-56 and C4:2-4) 'Processes' of applicant is equivalent to 'design artifact' of Bowman. (**Bowman,** C137:27-43) Per Bowman, the 'design artifact' provides a 'logical framework'. Per applicant the 'processes' provides a 'product roadmap'(¶0007). Thus 'Product roadmap' of applicant is equivalent to 'logical framework' of Bowman. In ¶0345 of application, the applicant states that an 'activity' is created by renaming a copy of a business object. Bowman discloses copying a 'business object' for logical units of work. (**Bowman,** C302:26-46) Thus 'activities' of applicant is equivalent to 'copy of the common business object' of Bowman. Applicant describes 'steps' as where 'sub-objects are expected' (¶0379). Applicant admits that Bowman contains sub-objects with the statement 'objects and their corresponding classes break down complex programming problems into smaller, simpler problems'. Thus Bowman has 'steps'. 'Allow a user to design' of applicant is equivalent to 'practitioners will select the necessary components' of Bowman. (**Bowman,** C20:24-32)

The statement "If the development team is more than 5 people, a tool should provide support for multiple developers" is for the disclosure of a tool which the team members can use to gain multiple access to the development of the application. It does not state that only teams members have access to a repository as applicant implies. Repositories storing data is known throughout the art. Bowman does not state that only teams can work on development.

Business objects have been described and disclosed above. 'Technology objects' of applicant is equivalent to 'classes' of Bowman. (**Bowman,** C14:34-41) A 'class' in a programming language could be considered a category. Each 'class' has a template associated with it.

15. In reference to the Applicant's argument:

CLAIM 29

Amended claim 29 recites "prompting a user to select at least one business process object and one technology object; receiving user parameters; and designing a business solution using the selected business process object, technology object and user parameters."

As similarly discussed above with respect to claim 1, the Office (Action of July 5, 2006 at 13) asserts that the parameters, business process objects, and technology objects recited in claim 29 are equivalent to the domain, objects, and classes disclosed by Bowman. The Applicants disagree.

The specification (00288) indicates that "A technology object exists for each technology component and each configuration structure...the technology object clearly describes the functionality and its purpose in the architecture, as well as other specific information." 'The specification (00278) also provides that parameters "...are assigned to the object's definition and are filled with values when creating an instance." Additionally, the specification (00275) states that "The business process

object 1204 provides the business objectives and goals of the process scope." Equivalents to these terms are not disclosed in Bowman.

As discussed above with respect to claim I, Bowman provides the meanings of the terms domain object and class, Even when given the broadest reasonable interpretation, the problem domain, class, and object disclosed by Bowman are not equivalent to the user parameters, business process object, and technology object recited in claim 29.

Moreover, Bowman does not disclose prompting a user to select a domain, an object, or a class. Bowman also does not disclose receiving a domain, an object, or a class from a user. Therefore, irrespective of any equivalence, Bowman does not disclose, teach, or suggest designing a business solution using the selected business process object, technology object and user parameters, as claimed.

For at least these reasons, independent claim 29 is allowable over Bowman. Further, claims 30 and 31 depend from claim 29 and are at least allowable based on claim 29.

Concluding Comments
By responding in the foregoing remarks only to particular positions taken by the Office, the Applicants do not acquiesce to other positions taken by the Office that have not been explicitly traversed. Additionally, the Applicants' arguments for the patentability of a claim presented m this response should not be understood to indicate that no further reasons for the patentability of that claim exist.

Examiner's response:

'Prompting a user to select' of applicant is equivalent to 'practitioners will select the necessary components' of Bowman. (**Bowman,** C20:24-32)

'Technology objects' of applicant is equivalent to 'classes' of Bowman. (**Bowman,** C14:34-41) A 'class' is similar to a category and thus would define its functionality and purpose. 'Business object' of applicant is equivalent to 'object' of Bowman. (**Bowman,** C14:34-41) The four elements composing a 'business object' are explained in section 9. in this office action. Terms mentioned within the specification need not be disclosed within a Office Action.

Applicant defines parameters as "...are assigned to the object's definition and are filled with values when creating an instance.' Assigning definitions is a domain. The outcome depending on the function is the range. To obtain a result in a range, something must be entered into the domain. In other words if 'x' is the domain, then 'f(x)' is the range.

Selection of a domain of applicant is equivalent to 'practitioners will select the necessary components' of Bowman. (**Bowman,** C20:24-32)

'Business process object' of applicant is equivalent to 'technology object' per applicant in ¶0081.

'Prompting a user to select a domain, an object, or a class' of applicant is equivalent to 'practitioners will select the necessary components' of Bowman. (**Bowman,** C20:24-32) 'Designing a business solution' of applicant is equivalent to 'design' of Bowman.

'Parameters' is equivalent to 'domain' of Bowman. (**Bowman,** C14:34-41) 'Business objects' of applicant is equivalent to 'objects' of Bowman. (**Bowman,** C14:34-41) 'Technology objects' of applicant is equivalent to 'classes' of Bowman. (**Bowman,** C14:34-41) Maintain and modify the business solution designed by the user. (**Bowman,** C21:48-61; 'Modify' of applicant is equivalent to 'change' of Bowman. Maintain' of applicant is equivalent to 'maintainability' of Bowman.) The four elements of a 'business object' are 'business areas', 'processes', 'activities' and 'steps'. Bowman goes into further detail stating the model of an 'business component' is the same as a 'object model'. (**Bowman,** C137:15-190) 'Business areas' of applicant are disclosed by

examples of the creation of an invoice and planning and delivery stages of Bowman. (**Bowman,** C3:55-56 and C4:2-4) 'Processes' of applicant is equivalent to 'design artifact' of Bowman. (**Bowman,** C137:27-43) Per Bowman, the 'design artifact' provides a 'logical framework'. Per applicant the 'processes' provides a 'product roadmap'(¶0007). Thus 'Product roadmap' of applicant is equivalent to 'logical framework' of Bowman. In ¶0345 of application, the applicant states that an 'activity' is created by renaming a copy of a business object. Bowman discloses copying a 'business object' for logical units of work. (**Bowman,** C302:26-46) Thus 'activities' of applicant is equivalent to 'copy of the common business object' of Bowman. Applicant describes 'steps' as where 'sub-objects are expected' (¶0379). Applicant admits that Bowman contains sub-objects with the statement 'objects and their corresponding classes break down complex programming problems into smaller, simpler problems'. Thus Bowman has 'steps'.

Examination Considerations

16. The claims and only the claims form the metes and bounds of the invention. "Office personnel are to give the claims their broadest reasonable interpretation in light of the supporting disclosure. *In re Morris*, 127 F.3d 1048, 1054-55, 44USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. *In re Prater*, 415 F.2d, 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969)" (MPEP p 2100-8; c 2, l 45-48; p 2100-9, c 1, l 1-4). The Examiner has the full latitude to interpret each claim in the broadest reasonable sense.

Examiner will reference prior art using terminology familiar to one of ordinary skill in the art. Such an approach is broad in concept and can be either explicit or implicit in meaning.

17. Examiner's Notes are provided to assist the applicant to better understand the nature of the prior art, application of such prior art and, as appropriate, to further indicate other prior art that maybe applied in other office actions. Such comments are entirely consistent with the intent and sprit of compact prosecution. However, and unless otherwise stated, the Examiner's Notes are not prior art but link to prior art that one of ordinary skill in the art would find inherently appropriate.

18. Examiner's Opinion: Paragraphs 16 and 17 apply. The Examiner has full latitude to interpret each claim in the broadest reasonable sense.

Conclusion

19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

20. Claims 1-31 are rejected.

Correspondence Information

21. Any inquiry concerning this information or related to the subject disclosure should be directed to the Examiner Peter Coughlan, whose telephone number is (571) 272-5990. The Examiner can be reached on Monday through Friday from 7:15 a.m. to 3:45 p.m.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor David Vincent can be reached at (571) 272-3687. Any response to this office action should be mailed to:

Commissioner of Patents and Trademarks,

Washington, D. C. 20231;

Hand delivered to:

Receptionist,

Customer Service Window,

Randolph Building,

401 Dulany Street,

Alexandria, Virginia 22313,

(located on the first floor of the south side of the Randolph Building);

or faxed to:

(571) 273-8300 (for formal communications intended for entry.)

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have any questions on access to Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

Peter Coughlan

12/13/2006

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